

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Quenville, et al.
Application No.	:	10/725,233
Filed	:	December 1, 2003
Title	:	STABILITY ENHANCEMENT OF SOLUTIONS CONTAINING ANTIMICROBIAL AGENTS
Group/Art Unit	:	1751
Conf. No.	:	2124
Docket No.	:	P03346

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to make of record a prior use in the United States of an article of manufacture that was comprised of a bottle prepared from poly(ethylene terphalate) and a lens care solution. Applicants believe this prior art is relevant to the consideration of the patent application identified above and the pending claims of this application. A product sheet obtained from the Internet describes the consumer lens care product that was sold in the United States more than one year prior to Applicants' filing date.

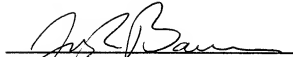
With respect to the prior use of an article of manufacture that includes the use of a PET container to store and package a lens care solution, Applicants submit that the lens care solution did not contain poly(hexamethylene)biquanide, but instead, polyquaternium-1. A PET container was used by Alcon Laboratories, Inc. to package a multipurpose lens care solution sold in the U.S. under the tradename OptiFree® Express more than one-year before the filing date of the present patent application. Nevertheless, Applicants submit that the claims are nonobvious over this prior use for the very same reasons the claimed article is novel and inventive over Groemminger in view of Asgharian. As noted, the Asgharian patent is assigned to Alcon Laboratories, Inc. (Alcon), and thus, describes the polyquaternium-1 lens care solutions that are marketed and sold by Alcon. Accordingly, the stated prior use of Alcon's PET container is merely cumulative to what is already described and cited in the Asgharian Patent.

It is respectfully requested that:

1. The examiner considers completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citation for the information be printed on any patent which issues from this application.

Applicants believe this filing is timely and no fee is believed to be due. However, should it be determined that a fee is due, please charge Deposit Account No. 02-1425.

Respectfully submitted,



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